

Application Serial No. 10/643,376
Amendment dated August 27, 2004
Reply to office action dated May 27, 2004

Remarks/Arguments

The Examiner rejected claims 9-10 and 20 under 35 USC 102(b) as being anticipated by Farley; claims 1-5 under 35 USC 103(a) as being unpatentable over Flanders et al. in view of Farley; claims 6 and 7 under 35 USC 103(a) as being unpatentable over Flanders et al. in view of Farley as applied to claim 1, and further in view of Shyu; claim 8 under 35 USC 103(a) as being unpatentable over Flanders et al. in view of Farley and Shyu as applied to claim 7, and further in view of Kline et al.; claim 11 under 35 USC 103(a) as being unpatentable over Farley as applied to claim 10, and further in view of Kline et al. as applied to claim 8; claims 12-14 under 35 USC 103(a) as being unpatentable over Farley as applied to claim 10, and further in view of Shyu as applied to claim 6; claim 21 under 35 USC 103(a) as being unpatentable over Farley as applied to claim 20, and further in view of Roh et al.; claims 15-18 under 35 USC 103(a) as being unpatentable over Farley in view of Shyu as applied to claim 14, and further in view of Kline et al. as applied to claim 8; claim 19 under 35 USC 103(a) as being unpatentable over Farley in view of Shyu and Kline et al. as applied to claim 18, and further in view of Roh et al. as applied to claim 21; claims 22-24 under 35 USC 103(a) as being unpatentable over Farley in view of Roh et al. as applied to claim 21, and further in view of Kline et al. as applied to claim 8; claims 25-26 under 35 USC 103(a) as being unpatentable over Farley in view of Roh et al. and Kline et al. as applied to claim 24, and further in view of Shyu as applied to claim 6; claims 27, 28 and 32 under 35 USC 103(a) as being unpatentable over Maciulewicz in view of

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Pouchak; and claims 29-31 under 35 USC 103(a) as being unpatentable over Maciulewicz in view of Pouchak as applied to claim 28, and further in view of Kline et al. as applied to claim 8.

The applicant wishes to note that the combining of a boiler sequencer of Pouchak with Maciulewicz's plurality of zones, temperature sensors, set points, and dampers with one for each zone, or as the Examiner seemed to state, Maciulewicz discloses a plurality of thermostats connected through a network communication bus to a master controller that controls the heating/cooling system in response to the temperature control demands of the system, which is supposedly obvious to be modified such that it includes the use of a sequencer, is not at all that straight forward. Boilers are clearly different from thermostats, air management systems and HVACs, and the sequencing approach is different. The interconnection, though elegant, is very difficult to achieve, particularly with respect to the parameter controls of each thermostat of the system. The motivation of making this combination includes significant advantages and cost benefits resulting in a competitive advantage over other systems. To the knowledge of the applicant, no one has successfully achieved the combination as claimed. If such combination were obvious, it should have been already achieved in view of its advantages and benefits.

The applicant has canceled claims 1-32 without prejudice and added claims 33-63 which may more effectively describe the invention.

The applicant very respectfully requests consideration and

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allowance of the pending claims.

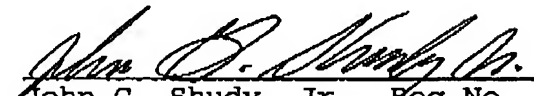
Respectfully submitted,

Michael A. Pouchak

By his attorney,

Dated:

08/27/04


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